

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.383 of 2024

Arising Out of PS. Case No.-206 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Kartik Kumar Son Of Late Vijay Kumar Village- Agwanpur, Ward No. 3, Ps- And Dist- Saharsa Through His Mother And Legal Guardian Namely Pinki Devi Age About 41years, Wife f Late Vijay Kumar Village- Agwanpur, Ward No. 3, Ps And Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.
For the State : Mrs. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

4 13-02-2025 The instant criminal revision is filed against an order dated 14th March, 2024, passed in Criminal Appeal No. 19 of 2023, whereby and whereunder the learned Additional Sessions Judge-I-cum-Special Judge, Childrens Court, Saharsa, rejected the prayer for bail of the C.I.C.L, who according to determination of the Juvenile Justice Board happens to be a juvenile on the date of commission of offence.

2. It is pertinent to mention, that an under-trial prisoner namely Prabhakar Kumar was murdered, while he was being brought to the Court of the learned Magistrate for production. The miscreants consisting of approximately six in number opened indiscriminate firing at the deceased, as a result of which, he sustained severe gun shot injury and died. It is



alleged that the present C.I.C.L. was the brain behind the occurrence, who guided other accused persons to commit an offence and get safe passage to flee away. The C.I.C.L. was apprehended on the basis of disclosure statement made by the co-accused persons.

3. It is contended on behalf of the C.I.C.L. that he is still a juvenile. On the date of commission of offence, he was aged about 15 years, 7 months and 25 days. He was apprehended in connection with a case being Saharsa Sadar P.S. Case No. 206 of 2023, on the basis of statement of co-accused, which is not admissible against the C.I.C.L.

4. This Court considers the case against the C.I.C.L. in the light of the guideline delineated in Section 3 of the Juvenile Justice (Care and Protection of Children) Act, 2015, read with Section 12 of the said Act.

5. The learned appellate court rejected the prayer for bail of the C.I.C.L. on the ground that the C.I.C.L. has criminal association with other known criminals of the locality. The S.I.R. report is not favourable in respect of the said C.I.C.L.

6. In view of such circumstances, I have no other alternative, but to be in conformity with the findings made by the learned appellate court.



7. Accordingly, the instant criminal revision is dismissed.

(Bibek Chaudhuri, J)

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